

CHRISTOPHER A. VIADRO, SBN 160260
ETHAN P. NIEDERMEYER, SBN 300244
VIADRO LAW, LLP
111 Broadway 2nd Floor
Oakland, CA 94607
Telephone: (510) 287-2400
Facsimile: (510) 287-2401
inbox@viadrolaw.com

ATTORNEYS FOR PLAINTIFF
COLEMAN ELLIOTT

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

COLEMAN ELLIOTT,

Plaintiff,

v.

AUTOQUIP CORPORATION,

Defendant.

CASE NO.: 2:23-cv-02355-JAM-CKD

**STIPULATION AND ORDER TO
CONTINUE THE HEARING DATE
AND ASSOCIATED BRIEFING
SCHEDULE FOR DEFENDANT
AUTOQUIP'S MOTION FOR SUMMARY
JUDGMENT (ECF 32)**

Complaint filed September 5, 2023

Removed from Superior Court of San Joaquin
County, STK-CV-UPL-2023-0009514

PLEASE TAKE NOTICE that COLEMAN ELLIOTT and AUTOQUIP
CORPORATION, by and through their undersigned respective counsel of record, HEREBY
STIPULATE AND AGREE AS FOLLOWS:

WHEREAS, AUTOQUIP CORPORATION filed a motion for summary judgment on
September 19, 2025, set for hearing on November 18, 2025 at 1:00 PM in Courtroom 6, before
the Honorable John Mendez;

WHEREAS, COLEMAN ELLIOTT'S opposition to Defendant Autoquip's motion for
summary judgment is due October 3, 2025;

WHEREAS AUTOQUIP CORPORATION'S Reply to Plaintiff's opposition is due October 13, 2025;

WHEREAS, COLEMAN ELLIOTT and AUTOQUIP CORPORATION desire to mediate this matter prior to the hearing of the Motion for Summary Judgment;

WHEREAS, COLEMAN ELLIOTT and AUTOQUIP CORPORATION intend to mediate this matter before the Honorable Robert McGuinness and are in the process of scheduling said mediation for February 2026;

IT IS HEREBY STIPULATED and AGREED that the November 18, 2025, hearing on Defendant Autoquip's motion for summary judgment may be continued to June 2, 2026, at 1:00 p.m. or such other date in that time frame suitable for the court. Based on that date, Plaintiff's opposition must be filed by April 17, 2026, and any reply brief must be filed by April 27, 2026.

Respectfully submitted:

VIADRO LAW, LLP

By: /s/Ethan P. Niedermeyer

Christopher A. Viadro
Ethan P. Niedermeyer
Attorneys for Plaintiff
Coleman Elliott

Respectfully submitted:

MCCARTER & ENGLISH, LLP

By: /s/ Katherine D. Althoff

Katherine D. Althoff
Allyson Emley
Attorneys for Defendant
Autoquip Corporation

CERTIFICATE OF SERVICE

I am employed in the City of Oakland, County of Alameda, State of California. I am over 18 years of age and not a party to this action. My business address is Viadro Law, LLP, 111 Broadway, Second Floor, Oakland, California 94607.

On the date below I served a true copy of the following document(s):

STIPULATION AND PROPOSED ORDER TO MODIFY THE HEARING DATE AND ASSOCIATE BRIEFING SCHEDULE FOR DEFENDANT AUTOQUIP'S MOTION FOR SUMMARY JUDGMENT

☒ **BY CM/ECF NOTICE OF ELECTRONIC FILING:** I electronically filed the document(s) with the Clerk of the Court by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.

☒ **BY ELECTRONIC TRANSMISSION.** I caused the document(s) to be sent to the person(s) at the E-Mail address(es) listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

J. Dominic Campodonico (SBN 188035)
Kristin A. Blocher (SBN 283730)
Gordon Rees Scully Mansukhani, LLP
275 Battery Street, Suite 2000
San Francisco, CA 94111
Tel: (415) 986-5900
Fax: (415) 986-8054
dcampodonico@grsm.com
kblocher@grsm.com
Attorneys for Defendant
AUTOQUIP CORPORATION

Katherine D. Althoff
Allyson Emley
McCarter & English, LLP
10 E. Main Street, Suite 200
Carmel, IN 46032
Tel: (317) 810-5493
Fax: (317) 602-1698
kalthoff@mccarter.com
aemley@mccarter.com
Attorneys for Defendant
AUTOQUIP CORPORATION

I declare that I am employed in the office of a member of the bar of the court at whose direction the service was made.

Executed on October 1, 2025, at Tucson, Arizona.

/s/ Laurie Glinski
Laurie Glinski

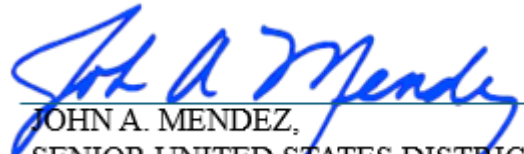
ORDER

The November 18, 2025 hearing on Defendant Autoquip Corporation's motion for summary judgment (ECF No. 31), is **CONTINUED** to **Tuesday, June 02, 2026, at 1:00 p.m.**

Plaintiff's opposition shall be filed on or before **April 17, 2026**, and Defendant's reply, if any, shall be filed on or before **April 27, 2026**.

IS IT SO ORDERED.

Dated: October 03, 2025



JOHN A. MENDEZ,
SENIOR UNITED STATES DISTRICT JUDGE